REMARKS

Claims 1 to 52 were pending in the application at the time of examination. Claims 1 to 8, 10 to 19, 21 to 32, and 34 to 52 stand rejected as anticipated. Claims 9, 20, and 33 stand rejected as obvious.

Claims 1 to 8, 10 to 19, 21 to 32, and 34 to 52 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,925,595, hereinafter referred to as "Whitledge."

Applicants respectfully traverse the anticipation rejection of Claim 1. The Office has admitted on the record that Whitledge failed to anticipate Claim 1. Specifically, the Office stated:

> Whitledge discloses the limitation of receiving request and determination of data, but the processing server does not specifically disclose the transmitting to client.

Paper dated 04/27/2006, pg. 3. Despite this admission, the current action stated:

> a proxy server having a code section including instructions for receiving a request for data from a client, and making a determination whether the requested data should be rendered before transmission to the client; (Whitledge, fig. 4a, col.10, 30-38, the proxy server receives a request from a network device then proxy server creates a metadata to convey information such as request/response, and in col.10, 1.10-1 5, the proxy server is equipped with the capability to determine whether the network device is allowed to use before transmitting the converted data);
>
> a processing server coupled to the proxy server and having a code section including instructions for receiving the rendering determination from the proxy server, rendering the requested data, and transmitting the rendered data to the client (Whitledge, col.6, 1.35-38, col. 8, 1.1-24, the content converter - processing server, can also be integral to the proxy server and converts the original requested electronic document into a converted document based on the conversion preferences; and transmitting the

rendered data to the client (Whitledge, fig.3, element 46, 48, col. 9, l. 12-19, the converter communicates with the client).

The MPEP standard for anticipation is:

TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.". . . . < "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required.

MPEP § 2131, 8th Ed., Rev. 5, p. 2100-67 (August 2006). It is noted that this directive stated the claim element **"must be"** shown in as complete detail and arranged as required by the claim.

This standard has not been followed. Claim 1 recites in part:

a processing server coupled to the proxy server and having a code section including instructions for receiving the rendering determination from the proxy server, rendering the requested data, and transmitting the rendered data to the client.

Thus, Claim 1 taught that the processing server transmits the rendered data to the client. The rejection as quoted above reduces this to a converter 46 communicating with the client. Thus, the rejection itself admits that the original position by the office was correct by changing a processing server to a converter and then reducing transmitting the rendered data to the client to simply communicating with the client. This

GUNNISON, McKAY &
HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

Page 3 of 8

observation is sufficient to overcome the anticipation rejection.

Nevertheless, Applicants will demonstrate that the rejection has mischaracterized Whitledge, because Whitledge in Fig. 1, and step 96 of Fig. 4C unambiguously shows that proxy server 14 transmits the converted document of Whitledge to the client. To arrive at the processing server, the rejection combines "Content Converter 16" and "Converter 46" of Whitledge even though Whitledge described them as being separate and distinct. The rejection appears to mischaracterize client components 48 as a client.

Claim 1 defines the client as "receiving a request for data from a client." Therefore, the client to which the processing server transmits the rendered data is the client that sent the request for the data based on the plain meaning of Clam 1.

Whitledge describes client component 48 as:

> The client components 48 include network components that retrieve electronic document content from the computer network 20.

Whitledge, Col. 9, lines 21-22.

> At Step 82 of FIG. 4C, the converter 46 invokes the client components 48 to send the request to a desired electronic document server on the computer network 20 (e.g., World-Wide-Web server on the Internet). At Step 84, the desired electronic document server on the computer network 20 returns an original electronic document to the converter 46 that is converted into a response databody in a response datapipe object and a response metatdata object (e.g., including response headers) by the client components 48.

Whitledge, Col. 14, lines 37 to 35.

Accordingly, client components 48 of Whitledge fails to teach the client of Claim 1 in the same level of detail as

recited in Claim 1. Client components 48 did not send the request and did not receive the converted document from any server.

Further, the rejection has failed to cite any teaching of converter 46 transmitting any document to the client. In particular, Whitledge stated:

> At Step 96, the proxy server 14 sends the converted response to the first network device 12 via the user agent 38.

Whitledge, Col. 15, lines 6 to 8.

Thus, contrary to the characterization in the rejection, Whitledge consistently stated that the proxy server transmitted the document to the client, and not any of the other components of Whitledge. Thus, Whitledge failed to suggest or disclose that a processing server that after rendering communicated directly with the client as recited in Claim 1 and so taught away from Applicants' invention as recited in Claim 1. Therefore, Whitledge failed to meet the MPEP standard for anticipation. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 1.

Claims 2 to 8 depend from Claim 1. Therefore, each of Claims 2 to 8 distinguishes over Whitledge for at least the same reasons as Claim 1. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 2 to 8.

Applicants respectfully traverse the anticipation rejection of Claims 10 to 19, 21 and 22. The Office Action stated that these claims have similar limitations to Claims 1 to 8 and are rejected for the same reasons.

As noted above with respect to Claim 1 and incorporated herein by reference, any combination of the references teaches away from the processing server of the present invention as noted with respect to Claim 1 and incorporated herein by reference.

Claim 10 includes a limitation similar to Claim 1 and so distinguishes over Whitledge for at least the same reasons. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 10.

Claims 11 to 19, 21 and 22 depend from Claim 10. Therefore, each of Claims 11 to 19, 21 and 22 distinguishes over Whitledge for at least the same reasons as Claim 10. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 11 to 19, 21 and 22.

Applicants respectfully traverse the anticipation rejection of Claim 23. With respect to Claim 23, the Office Action stated that Claims 23 to 32, and 34 have similar limitations as Claims 1 to 8 and are rejected for the same reasons.

As noted above with respect to Claim 1 and herein incorporated by reference, the cited portions of Whitledge failed to teach or suggest the operations performed by a **proxy server and a processing server,** as recited in Claim 23. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 23.

Claims 24 to 32 and 34 depend from Claim 23. Therefore, each of Claims 24 to 32 and 34 distinguishes over combination of references for at least the same reasons as Claim 23. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 24 to 32 and 34.

Applicants respectfully traverse the anticipation rejection of Claim 35. With respect to Claim 35, the Office Action stated that Claims 35 to 38 have a similar limitation as Claims 1 to 4 and 8 and were therefore rejected for the same reasons.

As noted above with respect to Claim 1 and herein incorporated by reference, Whitledge failed to teach or suggest

the operation performed by the processing server as recited in Claim 35. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 35.

Claims 36 to 38 depend from Claim 35. Therefore, each of Claims 36 to 38 distinguishes over Whitledge for at least the same reasons as Claim 35. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 36 to 38.

Applicants respectfully traverse the anticipation rejection of Claim 39. Claim 39 stated in part:

...rendering the data at a processing server; and transmitting, by the processing server, the rendered data to the client.

As heretofore noted with respect to Claim 1 and incorporated herein by reference, Whitledge failed to teach or suggest **transmitting by the processing server the rendered data to the client.** Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 39.

With respect to Claim 40, as noted with respect to Claim 1 and incorporated herein by reference, Whitledge shows that the proxy server controls communications with the client. In contrast, in Claim 40, the proxy server authorizes the processing server to retrieve and render the data and to transmit the rendered data to the client. Since in Whitledge, the proxy server transmits all data to the client, Whitledge teaches away from the proxy server of Claim 40.

Claims 41 to 52 depend from Claim 40. Therefore, each of Claims 41 to 52 distinguishes over Whitledge for at least the same reasons as Claim 40. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 41 to 52.

Claims 9, 20 and 33 are rejected as obvious over the combination of Whitledge in view of U.S. Patent No. 6,308,222.

Assuming the combination of the references is correct, the additional information cited in the second reference does not cure the defects of the primary reference as noted with respect to the independent claim from which each of these claims depend. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of each of Claims 9, 20 and 33.

Claims 1 to 52 remain in the application. For the foregoing reasons, Applicants respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicants.

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **January 17, 2007**.

_____ **January 17, 2007**
Attorney for Applicant(s)   Date of Signature

Respectfully submitted,

Forrest Gunnison
Attorney for Applicant(s)
Reg. No. 32,899
Tel.: (831) 655-0880

GUNNISON, McKAY &
HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

Page 8 of 8